

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JOAO CONTROL & MONITORING
SYSTEMS, LLC,

Plaintiff,

v.

DIGITAL PLAYGROUND, INC., et al,

Defendants,

Civil No. 1:12-CV-6781 (RJS)

Declaration of Rachel Bach

I, Rachel Bach, hereby declare as follows:

1. I am an attorney with the law firm of Michael Best & Friedrich LLP and have been retained as counsel for the Manwin Defendants in this matter.

2. I am an adult resident of the State of Wisconsin and am competent to testify as to the statements made herein. These statements are based on my own personal knowledge and experience.

3. The following is a list of lawsuits brought by Plaintiff or other entities controlled by Raymond Joao asserting patents in the monitoring patent family: *Joao v. Cenuco*, 05-cv-01037 (S.D.N.Y); *Joao Control & Monitoring Sys. of Texas, LLC v. Playboy Enters., Inc. et al.*, 09-cv-00499 (E.D. Tex.); *Joao Control & Monitoring Sys. of Cal., LLC v. ACTI Corp., et al.*, 10-cv-1909 (C.D. Cal.); *Joao Control & Monitoring Sys., LLC v. Webcamnow.com Inc.*, 11-cv-08257 (C.D. Cal.); *Joao Control & Monitoring Sys., LLC v. Game Link LLC*, 11-cv-08695 (C.D. Cal.); *Joao Control & Monitoring Sys., LLC v. GSMC Inc.*, 11-cv-08697 (C.D. Cal.); *Joao Control & Monitoring Sys., LLC v. Game Link LLC*, 11-cv-09633 (C.D. Cal.); *Joao Control & Monitoring Sys., LLC v. Ahava Inc.*, 11-cv-09638 (C.D. Cal.); *Joao Control & Monitoring Sys., LLC v. GSMC Inc.*, 11-cv-09636 (C.D. Cal.); *Joao Control & Monitoring Sys. of Cal., LLC v. Sling Media, Inc., et al.*, 11-cv-06277 (N.D. Cal.); *Joao Control & Monitoring Sys., LLC v. Hyundai Motor Am.*, 12-cv-00007 (C.D. Cal.); *Joao Control & Monitoring Sys., LLC v. Ford*

Motor Co., 12-cv-00033 (C.D. Cal.); *Joao Control & Monitoring Sys., LLC v. Digital Playground Inc.*, 12-cv-00417 (C.D. Cal.); *Joao Control & Monitoring Sys., LLC v. Smartvue Corp.*, 12-cv-03641 (C.D. Cal.); *Joao Control & Monitoring Sys., LLC v. Xanboo, Inc.*, 12-cv-03698 (C.D. Cal.); *Joao Control & Monitoring Sys., LLC v. Am. Honda Motor Co., Inc.*, 12-cv-04013 (C.D. Cal.); *Joao Control & Monitoring Sys., LLC v. Liquid Cash, LLC*, 12-cv-06315 (S.D.N.Y.); *Joao Control & Monitoring Sys., LLC v. Digital Playground, Inc. et al.*, 12-cv-06781 (S.D.N.Y.); *Joao Control & Monitoring Sys., LLC v. Ford Motor Co.*, 12-cv-14004 (E.D. Mich.); *Joao Control & Monitoring Sys., LLC v. City of Yonkers*, 12-cv-07734 (S.D.N.Y.); *Joao Control & Monitoring Sys., LLC v. Ford Motor Co.*, 12-cv-01479 (D. Del.); *Joao Control & Monitoring Sys., LLC v. Chrysler Corp.*, 13-cv-00053 (S.D.N.Y.); *Joao Control & Monitoring Sys., LLC v. Am. Traffic Sols., Inc.*, 13-cv-00243 (D. Del.); *Joao Control & Monitoring Sys., LLC v. Jaguar Land Rover N. Am. LLC*, 13-cv-00507 (D. Del.); *Joao Control & Monitoring Sys., LLC v. Vivint Inc.*, 13-cv-00508 (D. Del.); *Joao Control & Monitoring Sys., LLC v. Lowe's Cos.*, 13-cv-00056 (W.D.N.C.); *Joao Control & Monitoring Sys., LLC v. Mitsubishi Motors N. Am. Inc.*, 13-cv-00614 (D. Del.); *Joao Control & Monitoring Sys., LLC v. Mazda Motor of Am. Inc.*, 13-cv-00728 (D. Del.); *Joao Control & Monitoring Sys., LLC v. Ford Motor Co.*, 13-cv-13615 (E.D. Mich.); *Joao Control & Monitoring Sys., LLC v. Chrysler Corp.*, 13-cv-13957 (E.D. Mich.); *Joao Control & Monitoring Sys., LLC v. FrontPoint Security Sols. LLC*, 13-cv-01760 (D. Del.); *Joao Control & Monitoring Sys., LLC v. Protect Am., Inc.*, 14-cv-00134 (W.D. Tex.); *Alarm.com Inc. v. Joao Control & Monitoring Sys., LLC*, 14-cv-00284 (D. Del.); *Joao Control & Monitoring Sys., LLC v. DISH Network Corp.*, 14-cv-00522 (D. Del.); *Joao Control & Monitoring Sys., LLC v. Cablevision Sys. Corp.*, 14-cv-00518 (D. Del.); *Joao Control & Monitoring Sys., LLC v. Time Warner Cable, Inc.*, 14-cv-00524 (D. Del.); *Joao Control & Monitoring Sys., LLC v. Verizon Commc'ns, Inc.*, 14-cv-00525 (D. Del.); *Joao Control & Monitoring Sys., LLC v. DirecTV*, 14-cv-00521 (D. Del.); *Joao Control & Monitoring Sys., LLC v. Consolidated Edison, Inc.*, 14-cv-00519 (D. Del.); *Joao Control & Monitoring Sys., LLC v. Volkswagen Grp. of Am., Inc. et al.*, 14-cv-00517 (D. Del.); *Joao*

Control & Monitoring Sys., LLC v. Nissan N. Am., Inc., 14-cv-00523 (D. Del.); *Joao Control & Monitoring Sys., LLC v. CPI Security Sys., Inc.*, 14-cv-00202 (W.D.N.C.); *Joao Control & Monitoring Sys., LLC v. Coxcom LLC, et al.*, 14-cv-00520 (D. Del.); *Joao Control & Monitoring Sys., LLC v. Slomin's, Inc.*, 14-cv-02598 (E.D.N.Y.); *Joao Control & Monitoring Sys., LLC v. Comverge, Inc.*, 14-cv-03862 (N.D. Ga.); *Joao Control & Monitoring Sys., LLC v. Mobile Integrated Sols., LLC*, 14-cv-02643 (D. Ariz.); *Joao Control & Monitoring Sys., LLC v. Telular Corp.*, 14-cv-09852 (N.D. Ill.); *Joao Control & Monitoring Sys., LLC v. Lifeshield, Inc.*, 15-cv-2772 (E.D. Pa.); *icontrol Networks, Inc v. Joao Control & Monitoring Sys., LLC*, 15-cv-00755 (W.D. Tex.).

4. A true and correct copy of the Secretary of State records for the following companies owned, in whole or in part, by Raymond A. Joao: Joao Bock Transaction Systems of Texas LLC, Joao Bock Transaction Systems LLC, Joao Bock Transaction Systems of California, LLC, Joao Controls, LLC, Joao Control & Monitoring Systems, LLC, Joao Control & Monitoring Systems of Texas LLC, Joao Control & Monitoring Systems of California LLC, Joao London Systems, LLC, Andalego, LLC, Authorizedbyme, LLC, Commercializeme.com, LLC, Decapolis Solutions, LLC, Greatgigz, LLC, Hs2net, LLC, Narrateme.com, LLC, and Stubmenow, LLC is attached to this Declaration as **Exhibit 1**.

5. A true and correct copy of a compilation of Raymond A. Joao's and his related entities' patents and patent applications that I caused to be created on March 21, 2017 is attached to this Declaration as **Exhibit 2**.

6. A true and correct copy of a letter dated February 7, 2013, from Jane G. Stevens, counsel for the Manwin Defendants, to the Honorable Richard J. Sullivan, is attached to this Declaration as **Exhibit 3**.

7. A true and correct copy of a letter dated February 28, 2013, from Maureen V. Abbey, counsel for Joao, to the Honorable Richard J. Sullivan, is attached to this Declaration as **Exhibit 4**.

8. A true and correct copy of the cover pleading to Plaintiff's Preliminary Infringement Contentions to the Manwin Defendants, served on February 21, 2014, is attached to this Declaration as **Exhibit 5**.

9. A true and correct copy of the cover pleading to the Manwin Defendants' Invalidity Contentions, served on April 25, 2014, is attached to this Declaration as **Exhibit 6**.

10. A true and correct copy of the Manwin Defendants' Initial Disclosures Pursuant to Fed. R. Civ. P. 26(a)(1), served on January 21, 2014, is attached to this Declaration as **Exhibit 7**.

11. A true and correct copy of the Manwin Defendants' Responses and Objections to Plaintiff's First Set of Interrogatories, served on April 20, 2015, is attached to this Declaration as **Exhibit 8**.

12. A true and correct copy of a document produced by the Manwin Defendants, bearing Bates number MD002601-2602, produced on May 30, 2014, is attached to this Declaration as **Exhibit 9**.

13. A true and correct copy of a letter dated April 7, 2014, from Bradley J. Mullins, counsel for the Manwin Defendants, to Dara T. Jeffries, counsel for Joao, is attached to this Declaration as **Exhibit 10**.

14. A true and correct copy of an email chain beginning on December 3, 2013, and concluding on December 9, 2013, between counsel for Joao and counsel for the consolidated defendants, is attached to this Declaration as **Exhibit 11**.

15. A true and correct copy of an email chain beginning on December 11, 2013, and concluding on December 12, 2013, between counsel for Joao and counsel for the consolidated defendants, is attached to this Declaration as **Exhibit 12**.

16. A true and correct copy of an email chain beginning on January 23, 2014, and concluding on January 27, 2014, between counsel for Joao and counsel for the consolidated defendants, is attached to this Declaration as **Exhibit 13**.

17. A true and correct copy of a letter dated July 1, 2014, from Dara T. Jeffries, counsel for Joao, to Bradley J. Mullins, counsel for the Manwin Defendants, is attached to this Declaration as **Exhibit 14**.

Pursuant to 28 U.S.C. § 1746, I declare that the foregoing is true and correct under penalty of perjury under the laws of the United States of America.

EXECUTED this 7th day of April, 2017.

By: /s/ Rachel Bach
Rachel Bach